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367.39104X00

PAT 99033 US (NC 25116 US)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Winand D'SOUZA

Serial No.: 09/684,949

Filed: October 10, 2000

For: A PORTABLE ELECTRONICS DEVICE

Art Unit: 2683

Examiner: Stephen M. D'Agosta

RECEIVED

FEB 03 2004

Technology Center 2600

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PETITION TO WITHDRAW ERRONEOUS HOLDING OF ABANDONMENT FEB - 6 2004

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DIRECTOR OFFICE
TECHNOLOGY CENTER 2000
January 30, 2004

Sir:

Applicant petitions the reinstatement of the above-referenced application to pending status and the issuance of an Office Action on the merits forthwith in view of the undersigned's firm not having received the Office Action of February 12, 2003, which is identified in the Notice of Abandonment which was mailed in the above-referenced application on December 4, 2003.

The undersigned has physically inspected the file of the above-referenced application and the file does not contain the above-noted first Office Action.

Submitted herewith is a printout of the undersigned firm's docketing records regarding the above-referenced application. It should be noted that there is nothing in the computer database docketing records for this application reflecting the issuance of an Office Action on February 12, 2003.

Finally, attached is a photocopy of the August 12, 2003 manual docketing records of the undersigned's firm which is kept as a parallel system to the computer docket entry as discussed

above. If a first Office Action had been issued on February 12, 2003, the end of the statutory period would have been docketed on August 12, 2003 for response. It should be noted that there is no entry therein regarding docket 367.39104X00 which is the docketing entry identification for the above-identified application.

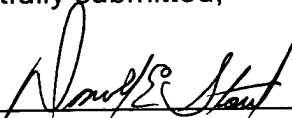
Additionally, attached hereto is the May 12, 2003 manual docketing records for the undersigned's firm which also would have contained an indication that the shortened statutory period for response to the February 12, 2003 Office Action would have expired on May 12, 2003.

Based on the manual inspection of the file by the undersigned, the computer records of the undersigned's firm, which are kept in the ordinary course of business involving the above-referenced application and the photocopies of the manual docketing records for May 12, 2003 and August 12, 2003, the undersigned asserts that the Office Action referred to in the Notice of Abandonment was never received by the undersigned's firm.

In view of the foregoing, it is requested that the Examiner forthwith reinstate the application to pending status and issue a first Office Action.

To the extent necessary, Applicants petition for an extension of time under 37 C.F.R. §1.136. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account No. 01-2135 (367.39104X00) and please credit any excess fees to such Deposit Account.

Respectfully submitted,



Donald E. Stout
Registration No. 26,422
ANTONELLI, TERRY, STOUT & KRAUS, LLP
(703) 312-6600

Attachments

DES:dlh

OPER * **RLS** ENTERED **9/19/2000** MO **12/30/2003** ATTORNEYS **DES / DES /** PRINTED ON: **12/30/2003**

ATSK# **367.39104X00** CNTRY **US** **UNITED STATES** NEW/CON **NEW** RELATED

PATS# **P19068US0** TYPE **UTL** SERIAL# **09/684,949** PATENT# STAT **ABANDONED**

TITLE **A PORTABLE ELECTRONICS DEVICE** RL/FM **013395/0123**

CLIENT **367** **NOKIA IPR DEPARTMENT** **1** CREF **PAT 99033 US** SE **NO** ART **3662**

AGENT AREF CLAIMS **00206545**

PRIOR **10/8/1999** MAIL **10/10/2000** FILE **10/10/2000** PUBL ISSUE ABN **y** **12/24/2003** 1ST **10/10/2000**

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12 M	10/8/2000		10/8/2000	0	10/10/2000	1 M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1 M	11/10/2000		11/10/2000	0	10/20/2000	0 M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3 M	1/10/2001		1/10/2001	0	12/11/2000	0 M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2 M	2/1/2001	5 1	7/1/2001	0	12/29/2000	1 M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0 M	6/19/2003		6/19/2003	0	5/7/2003	1 M	Y	Y	N
NB	Y	NOT OF ABANDONMENT	12/24/2003										

INVENTORS

D'SOUZA, WINAND

ASSIGNEES

NOKIA MOBILE PHONES LIMITED

PRIOR APPLICATIONS

REFERENCE#	CNTRY	SERIAL#	FILED	TITLE / DESCRIPTIO	TYP
	GB	9923957.6	10/8/1999		APPL

NOTES

11/13/00 LTR/PD DOC/FORM DAW
12/26/00 LTR/DECL/ASSIGN
3/27/03 LTR/IDS

*Record does not show that
we received Office Action dated
2/12/03.*

Jenn

OPER WSM ENTERED 9/19/2000 MODIFIED 5/7/2003 ATTORNEYS DES / DES OKT PRINTED ON: 12/16/2003
 ATSK# 367.39104X00 CNTRY US UNITED STATES NEW/CON NEW RELATED
 PATS# P19068US0 TYPE UTL SERIAL# 09/684,949 PATENT# STAT PENDING
 TITLE A PORTABLE ELECTRONICS DEVICE RL/FM 013395/O123
 CLIENT 367 NOKIA IPR DEPARTMENT 1 CREF PAT 99033 US SE NO ART 3662
 AGENT AREF CLAIMS 00206545
 PRIOR 10/8/1999 MAIL 10/10/2000 FILE 10/10/2000 PUBL ISSUE EXP 10/10/2020 1ST 10/10/2000

ID	O	ACTION	BASE	DUE IN	DUE	EXTNS	FINAL	EXT	RESPONSE	CALL	1	2	P
DL	N	PRIORITY DEADLINE	10/8/1999	12 M	10/8/2000		10/8/2000	0	10/10/2000	1 M	Y	Y	Y
PC	N	POST CARD CHECK	10/10/2000	1 M	11/10/2000		11/10/2000	0	10/20/2000	0 M	N	N	Y
PD	Y	PRIORITY DOCUMENT	11/21/2000										
	Y	IDS FILED	12/29/2000										
FS	N	FILG RCPT STATUS CHK	10/10/2000	3 M	1/10/2001		1/10/2001	0	12/11/2000	0 M	N	N	Y
G2	N	MISSING PARTS (2 MO)	12/1/2000	2 M	2/1/2001	5 1	7/1/2001	0	12/29/2000	1 M	Y	Y	N
AS	Y	ASSIGNMENTRCVD	3/19/2001										
	Y	FILREC RECD	4/2/2001										
ID	N	IDS DUE	6/19/2003	0 M	6/19/2003		6/19/2003	0	5/7/2003	1 M	Y	Y	N

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NOTES

11/13/00 LTR/PD DOC/FORM DAW
 12/26/00 LTR/DECL/ASSIGN
 3/27/03 LTR/IDS

12 AUGUST 12 TUESDAY 8/12/03

2003 224th day - 141 days to

1154 42350X00 de cl pce CTS 4/3
500.38711X00 ESHARA 604246 RESPONSE ESP CTS/FO
500.41508X00 KATO 604450 RESPONSE ESP MK 9
219.38824X00 FANNING 886131 RESPONSE ESP/PS/DO
520.41286X00 UEMURA 682083 RESPONSE ESP MK
500.39016X00 HAREANS 654289 RESPONSE ESP MK 8
500.39501X00 KIKIYAWA 760440 NOA ESP MK 2
500.35360X01 ICHIEJI 418822 RESPONSE ESP MK/PS
865.41078X00 FLEISSNER 046275 RESPONSE ESP AES S
500.36907X01 TARASE 267394 NOA ESP MK/RTV
458.41304X01 KIGHT 614362 NOA ESP AAS/SM
501.36599X00 HASEGAWA 257494 NOA ESP PLS
501.41801X00 NOYAMA 656261 RESPONSE ESP CTS 7/4
500.37782X00 SHIOKAWA 439399 RESPONSE ESP MK/PS
520.40813X00 MATSUO 986589 RESPONSE ESP GEM/11
358.41108X00 YAMAMOTO 650969 RESPONSE ESP QUD
612.37801X00 SARDA 455403 RESPONSE ESP DES
1158.41324X00 KIGHT 540011 NOA ESP AAS/SUL
219.40243X00 Kanton 945078 RESPONSE ESP/PS/DO
500.38917X00 Kanda 644073 RESPONSE ESP MK 8
500.38311X01 Katakura 640457 RESPONSE ESP/PS/DO
520.37469X01 IDS DUE CUB
843.40575X00 DRINKES ESP 6041 8/12
501.34965X01 DRINKES ESP 6041 8/12
500.41500X00 file cont app MK 7/8
501.35152X02 file cont app CNA / Beam
500.30874X00 file CA MK 8/12
500.38947X00 file CA MK 8/12
500.40413X00 file div app MK 8/12
843.30512X00 file CA CNA
500.40361X00 file cont app MK 8/12
500.30865X06 file cont app PS 8/8
520.39294X00 file cont App com Bumpier
500.36612X00 file DW App WLS

501.42941X00 FUJIEDA 11020106 TUSI New 8
1244.42670X00 GRAY 2001-805 SJP New App
1244.42071X00 GRAY 2001-808 SJP New App
1244.42077X00 GRAY 2001-803 SJP New App
1244.42078X00 GRAY 2001-806 SJP New App
1244.42079X00 LISCANO 2001-871 SJP New App
1244.42080X00 LISCANO 2001-859 SJP New App
1244.42081X00 GRAY 2001-802 SJP New App
1244.42082X00 GRAY 2001-823 SJP New App

400.28838X00	5,066,872	manager	Gen
358.29186X00	5,064,188	manager	Gen
445.29285X00	5,064,999	manager	DEA S/7
500.42111X00	Hanaoka 272942	deaf	Gen
520.42133X00	Takemura 272942	deaf	Gen
500.40520X00	Nakayama 940638	NOA	Gen
501.39610X00	OHGUCHI 798948	Response	Gen
520.38186X00	TAKITA 500093	Response	Gen
520.44153X00	KIKUCHI 000667	Response	Gen
503.38097X00	KAWABARA 493080	Response	Gen
321.2598100		statement of use	Gen
516.83244X00	Yasui 924583	Response	Gen
520.34814X00	Kondo 173819	Response	Gen
500.40409X00	Yamamoto 019992	Response	Gen
520.37800X00	Kimura 429400	Response	Gen
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500.35095X00	Yasui 1002911	Response	Gen
396.40194X00	Yamamoto 874418	Response	Gen
"	"	Response	Gen
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"	"	Response	Gen
500.35720X00	Osakabe 442737	Response	Gen
"	"	Response	Gen
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"	"	Response	Gen
219.35230X00	Yasui 543100	Response	Gen
"	"	Response	Gen
1021.39150X00	Yasui 680470	Response	Gen
"	"	Response	Gen
1612.39240X00	Yasui 703724	Response	Gen
500.41290X00	Yasui 083411	Response	Gen
"	"	Response	Gen
306.39539X00	Yasui	Response	Gen
501.39289X00	Yasui	Response	Gen
"	"	Response	Gen
503.35983X00	Yasui 828833	Response	Gen
501.37940X00	Mishima 524162	Response	Gen
648.39301X00	Yasui 791809	Response	Gen
396.31675X00	Shimo 449833	Response	Gen
520.37572X00	Shimizu 028424	Response	Gen
306.37846X00	Yasui 096807	Response	Gen
601.40550X00	Kikuchi 935543	Response	Gen
"	"	Response	Gen
805.38848X00	Yasui 649521	Response	Gen
1176.41410X00	Yasui 985464	Response	Gen
501.35306X00	Kawabara 508205	Response	Gen
520.39307X00	Yasui 050000	Response	Gen

JP 3/1/14